

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

BARBARA L. KELSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY
ADMINISTRATION,

Defendant.

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Civil Action No. 1:11-CV-251

**ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGMENT ON PLAINTIFF'S MOTION FOR ATTORNEY'S FEES**

Plaintiff Barbara L Kelson filed this case against Defendant Commissioner of Social Security Administration, seeking review of the Administrative Law Judge's decision denying her claim for benefits. This case was referred to United States Magistrate Judge Keith Giblin pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule CV-72 for consideration and submission of a report containing proposed findings of fact and recommendations for disposition. On March 28, 2013, the undersigned adopted the magistrate judge's Report and Recommendation that this case be reversed and remanded to the Commissioner for further proceedings.

On June 4, 2013, the magistrate judge entered a Report and Recommendation, recommending that the court grant Plaintiff's motion for attorney's fees in the amount of \$3,240.23 and costs in the amount of \$350.00.¹ Doc. # 22. The Report and Recommendation also recommended that the

¹ The Report and Recommendation misstated Plaintiff's request as for attorney's fees in the amount of \$3,590.00 and costs in the amount of \$350.00. Plaintiff actually requests \$3,240.23 in attorney's fees and \$350.00 in costs, Doc. # 20 at 10, and this is the amount the court will award.

attorney's fees and costs be awarded directly to Plaintiff, rather than her attorney. *See Astrue v. Ratliff*, 130 S. Ct. 2521, 2526 (2010). No objections were filed to this Report and Recommendation.

Therefore, the objections period having run and no party having filed objections, the court ADOPTS the magistrate judge's Report and Recommendation and GRANTS Plaintiff Barbara L. Kelson's Motion for Attorney's Fees [Doc. # 20]. Plaintiff is awarded \$3,240.23 in attorney's fees and \$350.00 in costs.

So **ORDERED** and **SIGNED** on June 21, 2013.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge